

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

ZACHO L L C

CASE NO. 2:21-CV-03036

VERSUS

JUDGE JAMES D. CAIN, JR.

SAFEPOINT INSURANCE CO

MAGISTRATE JUDGE KAY

MEMORANDUM ORDER

Before the Court is “Safepoint Insurance Company’s Motion to Opt Out” (Doc. 8). Safepoint moves to be excused from participating in the two-staged Streamlined Settlement Process because the parties are proceeding via the appraisal process; Safepoint remarks that this matter involves a straight-forward insurance dispute on the value of damages and that the parties will be in a better position to resolve all claims in the litigation once the appraisal process is concluded and the amount of loss has been set.


The Court has “wide discretion to control the course of litigation, which includes authority to control the scope and pace of discovery” and “general discretionary power to stay proceedings before it in the control of its docket and in the interests of justice.” *In re Ramu Corp.*, 903 F.2d 312, 318 (5th Cir. 1990); *McKnight v. Blanchard*, 667 F.2d 477, 479 (5th Cir. 1982). While the initial disclosures do require production of materials Defendant might view as irrelevant at this stage, they have been calculated to streamline discovery for these first-party insurance disputes – most of which center on valuation and scope. The streamlined process allows this information to be exchanged efficiently before the parties proceed to mediation.

The Court reminds both parties of its expectation that they will cooperate fully during the process, including any need for additional information or subsequent inspections. Disagreements as to scope and valuation of damages are routine in these cases and do not justify leapfrogging over the Streamlined Settlement Process. Defendant fails to show justification for opting out of the Case Management Order.

Accordingly,

IT IS ORDERED that the Motion to Opt Out is hereby **DENIED**, and the parties are directed to comply with the disclosure requirements and deadlines set forth under the Case Management Order.

THUS DONE AND SIGNED in Chambers on this 3rd day of November, 2021.



JAMES D. CAIN, JR.
UNITED STATES DISTRICT JUDGE